

Senate File 2218 - Reprinted

SENATE FILE 2218
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2021)

(As Amended and Passed by the Senate March 1, 2012)

A BILL FOR

1 An Act relating to school bus safety, including providing
2 penalties for failure to obey school bus warning lamps and
3 stop signal arms, providing for a school bus safety study
4 and administrative remedies, and making an appropriation.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.372, Code 2011, is amended by adding
2 the following new unnumbered paragraph before subsection 1:

3 NEW UNNUMBERED PARAGRAPH. This section shall be known and
4 may be cited as the "*Keep Aware Driving — Youth Need School*
5 *Safety Act*".

6 Sec. 2. Section 321.372, Code 2011, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 5. a. The driver of a school bus who
9 commits a violation of subsection 1 or 2 is guilty of a simple
10 misdemeanor punishable as a scheduled violation under section
11 805.8A, subsection 10.

12 b. A person convicted of a violation of subsection 3 is
13 subject to the following:

14 (1) For a first offense under subsection 3, the person
15 is guilty of a simple misdemeanor punishable by a fine of at
16 least two hundred fifty dollars but not more than six hundred
17 seventy-five dollars or by imprisonment for not more than
18 thirty days, or by both.

19 (2) For a second or subsequent offense under subsection 3,
20 the person is guilty of a serious misdemeanor.

21 Sec. 3. Section 321.482A, unnumbered paragraph 1, Code
22 2011, is amended to read as follows:

23 Notwithstanding section 321.482, a person who is convicted
24 of operating a motor vehicle in violation of section 321.178,
25 subsection 2, paragraph "a", subparagraph (2), section
26 321.180B, subsection 6, section 321.194, subsection 1,
27 paragraph "c", section 321.256, section 321.257, section
28 321.275, subsection 4, section 321.276, 321.297, 321.298,
29 321.299, 321.302, 321.303, 321.304, 321.305, 321.306, 321.307,
30 321.308, section 321.309, subsection 2, or section 321.311,
31 321.319, 321.320, 321.321, 321.322, 321.323, 321.323A, 321.324,
32 321.324A, 321.327, 321.329, ~~or~~ 321.333, or 321.372, subsection
33 3, causing serious injury to or the death of another person
34 may be subject to the following penalties in addition to the
35 penalty provided for a scheduled violation in section 805.8A or

1 any other penalty provided by law:

2 Sec. 4. Section 805.8A, subsection 10, paragraph b, Code
3 Supplement 2011, is amended by striking the paragraph.

4 Sec. 5. SCHOOL BUS SAFETY STUDY — RULEMAKING — REQUESTS
5 FOR REEXAMINATION OF A DRIVER — EDUCATION PROGRAMS —
6 APPROPRIATION.

7 1. The department of transportation, the department of
8 public safety, and the department of education shall jointly
9 conduct a study relating to school bus safety, or may contract
10 with an outside vendor to conduct such a study under the joint
11 direction of the departments. The study shall focus on the use
12 of cameras mounted on school buses to enhance the safety of
13 children riding the buses and to aid in enforcement of motor
14 vehicle laws pertaining to school bus safety. The study shall
15 also consider the feasibility of requiring school children
16 to be picked up and dropped off on the side of the road on
17 which their home is located, the inclusion of school bus safety
18 as a priority in driver training curriculum, and any other
19 issues deemed appropriate by the departments. The findings and
20 recommendations shall be reported to the general assembly by
21 December 31, 2012.

22 2. By July 1, 2012, the department of transportation
23 shall initiate rulemaking to establish a violation of section
24 321.372, subsection 3, as a serious violation. The rules may
25 provide for an increasing tier of driver's license suspensions
26 for conviction of a first, second, or subsequent violation.
27 The specific direction provided under this subsection does
28 not, by implication or otherwise, invalidate any prior
29 rulemaking by the department designating certain violations
30 as serious violations and does not preclude future rulemaking
31 by the department to designate certain violations other
32 than violations of section 321.372, subsection 3, as serious
33 violations.

34 3. By December 31, 2012, the department of transportation
35 shall make available to local law enforcement agencies,

1 electronically through the Iowa traffic and criminal software,
2 the form for requesting departmental reexamination of a person
3 who may be physically or mentally incapable of operating a
4 motor vehicle safely.

5 4. The department of transportation, the department of
6 public safety, and the department of education shall cooperate
7 to establish educational programs to foster increased public
8 awareness of motor vehicle laws and safe driving behaviors
9 relating to school bus safety.

10 5. There is appropriated from the statutory allocations
11 fund to the department of transportation an amount sufficient
12 to fund the study required under this section and an amount
13 sufficient to fund the development and programming necessary to
14 make the request for departmental reexamination form available
15 through the Iowa traffic and criminal software.

16 Sec. 6. EFFECTIVE UPON ENACTMENT. The section of this Act
17 providing for a school bus safety study, the adoption of rules,
18 law enforcement requests for reexamination of a driver, and
19 educational programs and making an appropriation, being deemed
20 of immediate importance, takes effect upon enactment.